

**REMARKS:**

As the examiner can see, the Abstract and Specification have been amended as per the examiner's request.

Claims 1, 2, 5 and 6 were rejected under 35 USC 102(b) as anticipated by Mueller. It is believed that the amendment of claim 1 to include the limitations of claim 3 and the amendment of 5 to include the limitations of claim 7 overcome these objections.

Claims 1-8 were rejected under 35 USC 103(a) over Abrahamov, in view of Karniol and Carlini, Karniol et al., Zuardi et al., and Hollister and Gillespie.

It is noted that the above-referenced office action states on page 3 that 'it would have been obvious in the absence of evidence to the contrary to administer a pharmaceutical composition comprising both  $\Delta^8$ -THC and CBD because CBD blocks the excitatory effects of  $\Delta^9$ -THC... $\Delta^8$ -THC is a double bond isomer of  $\Delta^9$ -THC and is a cannabinoid with lower psychotropic potency than  $\Delta^9$ -THC.'

It is respectfully requested that the examiner reconsider this position.

Specifically, it is noted that as discussed on page 4, lines 7-19 of the application as filed, there are chemical differences between  $\Delta^8$ -THC and  $\Delta^9$ -THC, for example, that  $\Delta^9$ -THC is easily oxidized to cannabinol whereas  $\Delta^8$ -THC does not and is in fact very stable. While  $\Delta^8$ -THC produces similar psychometric effects as does  $\Delta^9$ -THC, it is generally considered to be 50% less potent than  $\Delta^9$ -THC.  $\Delta^8$ -THC has also been shown to be a more (200%) effective anti-emetic than  $\Delta^9$ -THC. As such, while  $\Delta^8$ -THC and  $\Delta^9$ -THC are similar compounds, they

are clearly not identical nor is  $\Delta^8$ -THC simply a less effective isomer of  $\Delta^9$ -THC as in some cases,  $\Delta^8$ -THC has greater activity (as an anti-emetic).

In view of the foregoing, further and more favorable consideration is respectfully requested.

Respectfully submitted

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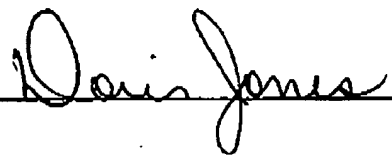
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